

Additionally, applicants are required to elect a specific type of polymer for the inner and the outer phases claimed.

Applicants respectfully traverse the restriction/election requirement. Applicants submit that the application relates to one inventive concept and that the entire application should be examined together. In particular, applicants believe that the election requirement is particularly unwarranted. The application discusses various possible components of the inner and outer phases, and applicants do not believe they should be limited to any one type of polymer. See, for instance, pages 19 and 20 and the Examples.

Further, at the least, applicants believe that claims 40 and 41, now shown as belonging in group II, are more appropriately a part of group I. Group I is drawn to pharmaceutical formulations, as are claims 40 and 41. Further, many of the claims in group I depend directly or indirectly from claim 40. Accordingly, applicants believe these claims at least should all be examined together.


(Applicants do note that claim 32, a member of group I, is not drawn to a pharmaceutical formulation *per se*. Rather it is drawn to a method for preparing a pharmaceutical formulation. However, applicants believe that if the restriction requirement is maintained, claim 32 should remain a part of group I.)

Nevertheless, as required, applicants elect, with traverse, the claims of group I, sodium carboxymethylcellulose for the inner phase and hydroxypropylmethylcellulose for the outer phase.

In view of the foregoing, reconsideration of this application, withdrawal of the restriction requirement, and allowance of the application with claims 1-71 are all respectfully requested.

Respectfully submitted,

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